

**U.S. DEPARTMENT OF COMMERCE**  
**ADVISORY COUNCIL ON TRADE ENFORCEMENT AND COMPLIANCE**

**Justification**

The Enforcement and Compliance (E&C) unit of the International Trade Administration serves as the Department of Commerce's lead for ensuring that the global trading system works for U.S. industry and workers. E&C enforces U.S. trade remedy laws dealing with unfairly-traded imports; monitors and seeks foreign government compliance with trade agreement obligations so as to help ensure that U.S. firms and workers receive the benefits of these commitments; and administers the U.S. Foreign Trade Zone (FTZ) program which promotes investment and business activity in the United States relative to foreign alternatives. These statutory and related responsibilities of the Department, and their successful execution, contribute directly to the health and competitiveness of the U.S. economy.

Recently, there has been increased U.S. stakeholder (both public and private) attention to the United States Government's efforts to ensure a level playing field for U.S. firms and workers both at home and abroad. This attention will continue, and likely increase, in the coming years as the global trading system continues to mature.

E&C currently maintains designated stakeholder access portals for its services concerning discrete trade remedy enforcement and trade agreement compliance problems, but ITA lacks a dedicated forum for stakeholders to engage the Department on matters concerning the formulation and execution of trade enforcement and compliance policies writ large. Existing advisory committee work is largely industry-sector focused or, in the case of the ITAC system, designed for industry to provide advice mainly on trade agreements with respect to negotiating goals and views. This has proven inadequate for ITA's purposes with respect to trade enforcement and compliance, as these issues often involve the intersection of domestic trade laws and international trade agreements. Further, these issues frequently have complex, cross-cutting, effects across multiple industries and multiple trade areas. The establishment of the Advisory Council on Trade Enforcement and Compliance (ACTEC) as a federal advisory committee is necessary in order to advise the Secretary of Commerce on how the U.S. government, and, specifically, the Commerce Department, can effectively enforce our domestic trade laws, and monitor trading partners' compliance with trade agreements to ensure that U.S. industry and workers receive the full benefit of the nation's international trade agreements.

The ACTEC shall advise the Secretary on laws and government policies that deal with trade enforcement; identify and recommend programs, policies, and actions to help the United States ensure that our trading partners comply with their trade agreement commitments; and recommend ways that U.S. trade enforcement and compliance policies and programs can better support a strong trade and manufacturing agenda and enhance the competitiveness of the United States. The ACTEC shall act as a liaison with the various stakeholders represented by the membership, and shall provide a forum to evaluate the current and emerging trade enforcement and compliance concerns of its stakeholders.

The estimated annual operating cost of the ACTEC is \$107,000.00

The ACTEC will function solely as an advisory committee in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App.

**Balanced Membership**

The Secretary of Commerce appoints the members. The International Trade Administration's Enforcement and Compliance unit has prepared a Membership Balance Plan for the ACTEC for consideration by the Secretary in making appointments. Considerations when making appointments will include the backgrounds and points of view of the candidates. ACTEC will include representatives of companies and organizations whose business is heavily impacted by imports, as well as representatives of companies and organizations who heavily export to, or operate in, countries with which the United States has trade agreements. Members will represent a diverse range of geographic, demographic, and industrial-sector interests, and industry representatives shall be drawn from large, medium, and small enterprises. The ACTEC shall be broadly representative of key stakeholders with an interest in trade enforcement and compliance. Appointments to the ACTEC shall be made without regard to political affiliation.